IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22621 of 2004

Between:

Shri Ramesh Agarwal, S/o. Mukundilal Agarwal, Aged Major,
R/o. Plot No.9, Phase-III, Bahavana Colony, New Bowenpally, Hyderabad.

..... PETITIONER

AND

1 The Registrar, Co-operative Societies, MJ Road, Hyderabad.
2 The Chairman, The Hyderabad Gymkhana Club,
Road No.2, Banjara Hills, Hyderabad.
3 The Hon. Secretary, The Hyderabad Gymkhana Club,
Road No.2, Banjara Hills, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent issuing the letter dated 13-09-2004 returning the re-entry fees is null and void, illegal without any jurisdiction, consequently direct the respondent to accept the re-entry fees and permit petitioner to continue as founder member of the Gymkhana club and pass such other order or orders

Counsel for the Petitioner:MR.SRINIVAS CHOWDARY

Counsel for the Respondent No.1: GP FOR COOPERATION

The Court at the admission stage, made the following :

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ORDER:

The petitioner challenges the letter dated 13-09-2004, issued by the Secretary, Hyderabad Jymkhana Club. The dispute relates to the status of the petitioner as founder member.

On the face of it, the writ petition is not maintainable, because the relief is sought against a Club, registered under the Societies Registration Act. If the petitioner is aggrieved by any action of the respondents, he has to avail the remedy, under the provisions of the Societies Registration Act.

Hence, the writ petition is disposed of, leaving it open to the petitioner to avail the remedy before the appropriate forum. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt. 09-12-2004

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To

1 The Registrar, Co-operative Societies, MJ Road, Hyderabad.
2 The Chairman, The Hyderabad Gymkhana Club,
Road No.2, Banjara Hills, Hyderabad.
3 The Hon. Secretary, The Hyderabad Gymkhana Club,
Road No.2, Banjara Hills, Hyderabad.

4. 2 C.D. copies.